

**ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010**  
**COMMITTEE STATEMENT**  
**LB836**

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**Hearing Date:** Wednesday January 27, 2010  
**Committee On:** Natural Resources  
**Introducer:** Lautenbaugh  
**One Liner:** Change deer hunting provisions, provide for mandatory deer depredation seasons, and provide a tax credit for allowing deer hunting

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Carlson, Cook, Dubas, Fischer, Haar, Langemeier, McCoy, Schilz  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Proponents:**

Senator Scott Lautenbaugh  
Robert Schoen  
Craig Bolz  
Richard Kruse  
Jeff Shaner

**Representing:**

Introducer  
Self  
Self  
Self  
Self

**Opponents:**

Joe Herrod  
Jeff Hoffman  
Mark Roemer  
Wes Sheets  
Janice Spicha  
Mark Pinkerton  
Johnny Barta  
Dick Turpin  
Henry Rick Brandt  
Bruce Riedman

**Representing:**

Nebraska Council of Sportsmens Clubs  
Game and Parks Commission  
Self  
Nebraska Division, Izaak Walton League  
Nebraska Bowhunters Association  
Game and Parks Commission  
Self  
Self  
Rocky Mountain Elk Foundation  
Self

**Neutral:**

Lee Vieselmeyer

**Representing:**

Oak Prairie Nursery, Plains Tree Farm

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**Summary of purpose and/or changes:**

Section 1 amends 37-403, which allows landowners and his or her immediate family to hunt on their own land without a permit, by adding that deer may be hunted regardless of the season or possession limits and by clarifying definitions.

Section 2 amends 37-448, which provides for a special deer depredation season, by adding a section calling for a mandatory deer depredation season to be held biennially and allowing the Game and Parks Commission to set the boundaries. It allows two deer to be killed with one permit by only residents using only regular season firearms, and

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also allows the commission to rescind the season for one year at a time.

Section 3 amends 37-514, relating to hunting wildlife with artificial light, by adding that the prohibition does not apply to the hunting of deer by hand light.

Section 4 amends 77-2715.07, relating to income tax credits, by allowing a refundable Nebraska income tax credit to a landowner of \$25 for each deer killed by an unauthorized person on the owner's land if 40 acres or less are owned and deer can legally be killed there.

Section 5 provides that sections 4 and 6 of this act become operative for taxable years starting on January 1, 2010, and the rest of the sections become operative on the regular schedule.

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**Explanation of amendments:**

The committee amendment, AM 1864, replaces the bill and does the following:

Section 1 amends 37-448, which provides for a special deer depredation season, by allowing the Game and Parks Commission to extend an existing deer hunting season for deer depredation. Permits under this section are to specify the species of deer, bag limits, and beginning and ending dates for the depredation or extended season. It further eliminates language allowing one deer per permit under this section; the requirement that permits be issued within three days of the season announcement; and the requirement that the landowner be reimbursed for half the permit fee for proof of a lawfully killed deer.

New language requires that: the permit fees be used to help pay for damage caused by deer; an unlimited number of free permits be provided to one owning or operating at least a 20-acre farm or ranch within the designated hunting area for taking antlerless deer; and that permits be allowed for immediate family members who share ownership of the property.

Section 2 amends 37-523, relating to hunting violations, by changing the radius in which hunting is allowed from 200 yards to 100 yards of an inhabited dwelling or livestock feedlot.

Section 3 repeals the original section.

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Chris Langemeier, Chairperson